

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SHIRLEY MORTON BAILEY,

Plaintiff,

v.

YOUTH VILLAGES, INC.,

Defendant.

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Case No. 3:04cv1045

Judge Thomas A. Wiseman, Jr.

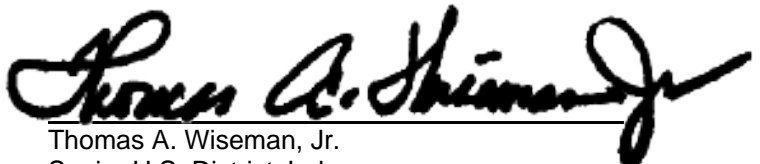
ORDER

Plaintiff Shirley Morton Bailey brings this case alleging claims of age and race discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e through 2000e-17 ("Title VII") and the Tennessee Human Rights Act, Tenn. Code Ann. §§ 4-21-101 through - 408 ("THRA"). Presently pending before the Court is Defendant Youth Villages, Inc.'s Motion For Summary Judgment (Doc. No. 16), which has now been fully briefed and is ripe for consideration.

As set forth in the accompanying Memorandum Opinion, disputed issues of material fact preclude summary judgment of Ms. Bailey's claims of race-based discrimination and retaliation. Accordingly, Youth Villages' motion for summary judgment as to those claims is hereby **DENIED**.

With respect to Ms. Bailey's claims of age discrimination and retaliation, the Court finds that Ms. Bailey has failed to allege fact sufficient to establish a *prima facie* case and therefore **GRANTS** summary judgment in favor of Youth Villages and hereby **DISMISSES** the claims of age discrimination and retaliation.

It is so **ORDERED**.


Thomas A. Wiseman, Jr.
Senior U.S. District Judge